Montana Newsletter

Montana State Library

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MONTANA NEWSLETTER

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At its meeting on January 11, 1971, the State Library Commission adopted the following policy statement on

ACCESS TO CIRCULATION RECORDS

"With the passage of the Library Services Act in 1957, and in the succeeding years, state libraries have been given an increasing role in the development of library services in the individual states. The confidence placed in state libraries through the allocation of funds to foster library development in the states, carries with it a responsibility for the state libraries to assume major leadership roles. All libraries within a state need to be able to look to their state library for guidance, assurance, endorsement, and help in carrying out their jobs at the local levels. This help must go beyond the provision of services and take in the more intangible aspects of leadership. This is especially true in the area of intellectual freedom -- a concept which is fundamental to all library service.

"The library profession, through its national association, and many individual libraries, have endorsed two intellectual freedom documents -- the Freedom to Read Statement and the Library Bill of Rights. Both are thoughtful and straight-forward affirmations of the profession's belief in the right of every citizen to have access to a variety of materials, and, they seek to protect borrowers from individuals and groups who would decide for others what may or may not be available to them in libraries.

"Another aspect of the public's intellectual freedom has become an issue in recent months. It is the borrower's right to privacy in the matter of what materials he shall borrow from the library. In a number of U.S. cities representatives of federal government agencies have, without benefit of any process, order, or subpoena, requested the names of library users who have borrowed books in certain subject areas.

"The freedom to read is automatically diminished, even if a full range of materials has been made available, if the library user is confronted with the prospect of any individual or agency examining the record of his transactions with the library. Individuals with no malicious intent may hesitate to borrow materials on certain topics if in doing so they may be subjected to the possibility of harassment or put under a veil of suspicion. Their freedom to read has been substantially curtailed and suppressed.

"Because this is a relatively new variety of attack in intellectual freedom, many libraries are unknowledgeable about the course to take when confronted with these requests.

"In the light of the above:

"The Montana State Library Commission establishes as policy for the Montana State Library, and recommends similar action by each Montana library:

1. That its circulation records be treated as confidential regardless of the source of inquiry.

2. That such records not be made available to any party, governmental or private, unless pursuant to an order, or subpoena or other legal process."

As supplementary material, the Commission offers this statement:

"The legal process requiring the production of circulation records will ordinarily be in the form of a subpoena duces tecum, requiring the librarian to attend court or the taking of his or her deposition and may require him to bring along certain designated circulation records. At this stage in legal proceedings the individual librarian may chose any of the following alternatives:

1. obey the requirements of the subpoena in full;

2. retain an attorney who will attend the court hearing or deposition with the librarian and attempt to obtain a protective order from the court quashing the subpoena because the record search required is unduly burdensome and onerous, or because the material sought is not relevant to the issues of the case;

3. attend the court hearing or deposition, but refuse to divulge the records, in which event the individual involved will undoubtedly be charged with contempt of court and fined or jailed."

At the same meeting, the State Library Commission adopted a policy statement on State Financial Assistance to Public Libraries. (R.C.M. 44-131(5) gives to the Commission the power "to serve as the agency of the state to accept and administer any state, federal, or private funds or property appropriated for or granted to it for library service or to foster libraries in the state and to establish regulations under which funds shall be dispersed.") Copies of the statement are being distributed to public libraries in Montana; other readers of this Newsletter may request copies from the State Library.

The Commission is requesting funds from the Legislature to implement this policy statement.

And at the same meeting, the Commission adopted a policy statement on Use of Federal Funds to Support Public Library Federations and Federation Demonstrations. That statement is also being distributed to Montana public libraries; other readers of this Newsletter may request copies from the State Library.

LSCA Appropriations: The Executive Budget recommendations, now before Congress, proposes elimination of Title II (Public Library Construction), and a substantial reduction in Title I funding. If this budget is approved, Montana's allocation under LSCA will be substantially less than in FY 71, as shown below:

	1971	1972
Title I (Grants for Library Services)	$274,757	$217,371
Title II (Public Library Construction)	90,584	0
Title III (Interlibrary Cooperation)	40,597	40,597

Because funding for Institutional Library Service and Blind/Physically Handicapped programs must be maintained next year at their current level, the effect of a cut in Title I funding will be borne by the public library service and development program of the State Library.

Mrs. Lura G. Currier, acting director of the Pacific Northwest Bibliographic Center since October 1970, when the reorganization of PNBC was undertaken, was named permanent director by the PNBC board of directors at a meeting held January 8, in Seattle. Mrs. Currier has more than 30 years of experience in librarianship, as librarian, library administrator, library consultant, and library school lecturer. For 12 years, 1955-67, she was director of the Mississippi State Library Commission.

The Montana State University Library has announced the appointment of Anna Louise Price, formerly Assistant Librarian at Southeast Missouri State College, as Serials Librarian. Miss Price replaces John McDill.

Mrs. Hazel Christianson, Mrs. Palmer Johnson and Miss Janet Rathbun have retired from the staff of the Missoula Public and County Library. Their friends across the state wish them a happy retirement.

Acting State Librarian David Hoffman met on February 1 with the Missoula County Commissioners and the Missoula City Council to discuss the possibilities of assistance from Title II in the construction of a new public library building for Missoula, and the development of public library federations.

David R. Hoffman
Acting State Librarian

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